

By CLAYTON

H.B. No. _____

A BILL TO BE ENTITLED

AN ACT

providing that each river authority and water-related district must file a copy of any audit made of its affairs with the Texas Water Rights Commission; amending Chapter 62, Acts of the 54th Legislature, 1955 (Article 8280-7, Vernon's Texas Civil Statutes); and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Chapter 62, Acts of the 54th Legislature, 1955 (Article 8280-7, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 1. Every river authority, water conservation and reclamation district, water control and improvement district, water improvement district, water control and preservation district, fresh water supply district, levee improvement district, drainage district, navigation district, irrigation district, and any type of water district, created pursuant to Section 59 of Article XVI or Section 52 of Article III of the Constitution of the State of Texas, shall file within 60 days after its creation with the Texas Water Rights Commission a certified copy of the Act, with amendments, creating the district or authority, or if authorized to be created by the Texas Water Rights Commission or any county commissioners court, a certified copy of the order creating or authorizing the creation of the district. If the boundaries of any district have been altered or are altered by inclusions or exclusions of land, the district shall file within 60 days after the alteration with the Texas Water Rights Commission a certified copy of the order of the district's governing body altering the boundaries.

"Section 2. Every such district or authority shall file within 60 days in the office of the Texas Water Rights Commission a list of the names and addresses of the officers and members of the board of directors or other governing body of the district, which list shall set forth the date that the term of office of each director or member of the governing body shall expire. Thereafter, the district shall notify the commission immediately of any changes in membership due to resignation or death, giving the name of the newly elected or appointed member. After any election or selection of a director or member, the district shall notify the commission within 30 days of the election of the name of the director or member chosen, together with the date that each term of office shall expire.

1 "Section 3. Every such district or authority shall file a
2 copy of any audit made of its affairs with the county clerk of the
3 county in which the district's headquarters are located and with
4 the Texas Water Rights Commission within 15 days after the audit
5 is completed.

6 "Section 4. The Texas Water Rights Commission shall adopt
7 a system for the filing of the information required by the
8 provisions of this Act, which file shall be open for inspection by
9 the public during the office hours of the commission.

10 "Section 5. Failure on the part of any district to comply
11 fully with the provisions of this Act shall subject the district to
12 a civil penalty of not more than \$50 and a further civil penalty
13 of not more than \$2 per day for each day of failure to comply with
14 the provisions and the state may recover the penalty by suit
15 therefor, provided, however, the maximum penalty shall not exceed
16 \$300."

17 Sec. 2. The importance of this legislation and the crowded
18 condition of the calendars in both houses create an emergency and
19 an imperative public necessity that the Constitutional Rule requir-
20 ing bills to be read on three several days in each house be sus-
21 pended, and the Rule is hereby suspended.
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BILL ANALYSIS

(1) Background information:

Present statutes do not require water districts to file any audit with the Texas Water Rights Commission. This has limited the Commission's knowledge of the activities of these water related districts.

(2) What the bill does:

H. B. No. 170 requires each river authority and water-related district, which is required to make an audit of its affairs, to file a copy of this audit with the Texas Water Rights Commission.

(3) Section analysis:

Section 1. Requires all water related districts to file a copy of the Act creating the district or changing its boundaries with the Texas Water Rights Commission.

Section 2. Provides that each district file a list of the names and addresses of the officers and board of directors with the Texas Water Rights Commission.

Section 3. Amends the present act requiring that each district file an audit with the county clerk and the Texas Water Rights Commission within 15 days after the audit.

Section 4. Adopts a system for filing the information required by this act.

Section 5. Sets a civil penalty for violations of this act.

Section 2. Declares an emergency.

(4) In Committee:

H. B. No. 170 was heard by the full Committee and sent to a subcommittee. After full discussion by the Committee the bill was reported back to the House with the recommendation that it do pass. The motion prevailed unanimously.

FORM A

(For favorable and unfavorable reports on bills and resolutions,
where no committee amendments are recommended.)

COMMITTEE REPORT

Date March 14, 1967 ;

HON. BEN BARNES,
Speaker of the House of Representatives.

SIR:

We, your Committee on Conservation & Reclamation, to whom was

referred H. B. No. 170, have had the same under

consideration and beg to report back with recommendation that it ^(do) ~~(do not)~~

pass.


Chairman.

By: Clayton

H.B. No. 170

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H.B. No. 170

inclusions or exclusions of land, the district shall file within 60 days after the alteration with the Texas Water Rights Commission a certified copy of the order of the district's governing body altering the boundaries. _____

"Section 2. Every such district or authority shall file within 60 days in the office of the Texas Water Rights Commission a list of the names and addresses of the officers and members of the board of directors or other governing body of the district, which list shall set forth the date that the term of office of each director or member of the governing body shall expire. Thereafter, the district shall notify the commission immediately of any changes in membership due to resignation or death, giving the name of the newly elected or appointed member. After any election or selection of a director or member, the district shall notify the commission within 30 days of the election of the name of the director or member chosen, together with the date that each term of office shall expire. _____

"Section 3. Every such district or authority shall file a copy of any audit made of its affairs with the county clerk of the county in which the district's headquarters are located and with the Texas Water Rights Commission within 15 days after the audit is completed. _____

"Section 4. The Texas Water Rights Commission shall adopt a system for the filing of the information required by the provisions of this Act, which file shall be open for inspection by the public during the office hours of the commission. _____

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"Section 5. Failure on the part of any district to comply fully with the provisions of this Act shall subject the district to a civil penalty of not more than \$50 and a further civil penalty of not more than \$2 per day for each day of failure to comply with the provisions and the state may recover the penalty by suit therefor, provided, however, the maximum penalty shall not exceed \$300."

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended.

Austin, Texas

May 1, 19 67

Hon. Preston Smith
President of the Senate

Sir:

We, your Committee on Water and Conservation,
to which was referred H B. No. 170, have had the same
under consideration, and I am instructed to report it back to
the Senate with the recommendation that it do _____
pass _____ and be _____ printed.



Chairman George Parkhouse

CAS

ENROLLED

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Lieutenant Governor
President of the Senate

Speaker of the House

I hereby certify that H.B. No. 170 was passed by the House on April 5, 1967, by a non-record vote.

Chief Clerk of the House

H.B. No. 170

I hereby certify that H.B. No. 170 was passed by the Senate
on May 25, 1967, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED:

6-16-67

Date

John Connally
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

12:25 pm O'CLOCK

JUN 17 1967

John L. Hill
Secretary of State

H.B. No. 170 By Clayton

A BILL TO BE ENTITLED
AN ACT

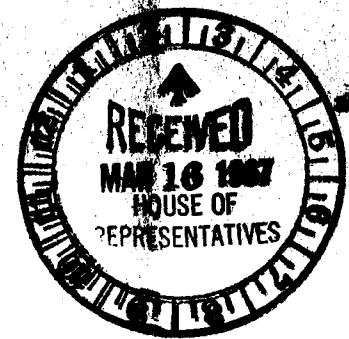
providing that each river authority and water-related district must file a copy of any audit made of its affairs with the Texas Water Rights Commission; amending Chapter 62, Acts of the 54th Legislature, 1955 (Article 8280-7, Vernon's Texas Civil Statutes); and declaring an emergency.

FILED JAN 24 1967

JAN 26 1967 READ 1ST TIME
AND REFERRED TO COMMITTEE ON

Conservation &
Reclamation

MAR 16 1967 REPORTED FAVORABLY SENT TO PRINTER



APR 5 1967
TIME _____ READ SECOND
AND

ORDERED _____ ENGROSSED, by
non-record vote.

Dorothy Hallman
Chief Clerk, House of Representatives

APR 5 1967 Constitutional
Rule requiring bills to be read on
three several days suspended by
a four-fifths vote.
Yeas 145 Nays 3

Dorothy Hallman
Chief Clerk, House of Representatives

APR 5 1967 Read third time

non-record and Passed
by following vote: yeas _____

Dorothy Hallman
Chief Clerk
HOUSE OF REPRESENTATIVES

APR 5 1967 MOTION TO RECONSIDER THE VOTE BY
WHICH HB # 170 WAS
ADOPTED / PASSED AND TO TABLE THE MOTION TO RECON-
SIDER PREVAILED PASSED BY A non-record vote
AYES AND _____ NAYS _____
Dorothy Hallman
CHIEF CLERK HOUSE OF REPRESENTATIVES

APR 5 1967 SENT TO ENGROSSING CLERK

PRINTED, DISTRIBUTED AND
REFERRED TO COMMITTEE ON
RULES 2:31 P.M. MAR 16 1967
(Time) (Date)

By: Clayton

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- 1-24-67 Filed.
- 1-26-67 Read first time and referred to Committee on Conservation and Reclamation.
- 3-16-67 Reported favorably, sent to printer.
- 3-16-67 Printed, distributed and referred to Committee on Rules at 2:30 p.m.
- 4- 5-67 Read second time and ordered engrossed by a non-record vote.
- 4- 5-67 Constitutional Rule requiring bills to be read on three several days suspended by a four-fifths vote: Yeas 145, Nays 3.
- 4- 5-67 Read third time and passed by a non-record vote.

Dorothy Hallman
Chief Clerk, H. of R.

4- 5-67 Sent to Engrossing Clerk.

4- 5-67 Engrossed.

Cora Suppin
Engrossing Clerk, H. of R.

APR 6 1967 RETURNED FROM ENGROSSING CLERK SENT TO THE SENATE

APR 6 1967
IN THE SENATE
Received from the House

APR 19 1967 Read first time
and referred to Committee
on Water and Conservation

MAY 1 1967 Reported Favorably.

MAY 25 1967
READ SECOND TIME,
AND PASSED TO THIRD READING.

MAY 25 1967
Senate Rule 32 and
Constitutional Rule (Sec. 32, Art. III)
suspended by a vote of 31 yeas,
0 nays, to place bill on third
reading and final passage.

MAY 25 1967
READ THIRD TIME AND PASSED
BY THE FOLLOWING VOTE:
Yeas 31 Nays 0
Charles Schnabel
Secretary of the Senate

MAY 25 1967
SENT TO HOUSE

MAY 25 1967

RETURNED FROM SENATE

Dorothy Hallman

Chief Clerk, House of Representatives

MAY 25 1967 SENT TO ENROLLING CLERK